

**REMARKS**

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

**Claim Status**

The Office Action indicates that claims 1-7 and 9-31 are pending in this application and have been rejected. Claims 1, 3, 6, 9, 17 and 28-31 are herein amended. Of these claims, claims 1, 9, 17, and 28-31 are independent in form. No new matter has been added by the amendments presented herein.

**The 35 U.S.C. §102(e) Rejection**

The Office Action rejects claims 1, 2, 4-7, and 26 under 35 U.S.C. §102(e) as allegedly being anticipated by USP 6,643,517 to Steer ("Steer"). For at least the reasons set forth below, Applicants respectfully traverse this rejection and submit that Applicants' claimed invention is patentably distinct over Steer, individually or in combination with the prior art of record.

Steer relates to a method of using mobile station location information for interference protection. The mobile radio system designates protected region boundaries within which mobile radio operations are to be restricted. A protection broadcast information server 8 stores the information specifying protected region boundaries and conditions of restricted operation. This information is broadcast at regular intervals on the broadcast control channels by base stations covering or near the protected regions. A mobile station within range of these base stations receives this information before it makes any transmissions. Prior to making a transmission, a mobile station uses a "location finding" technique to determine its location, and compares its measured location to the protected region boundaries to determine whether or not it is inside a protected region. If the mobile station is within a protected region, it constrains its own operation according to the restrictions broadcast for that protected region (e.g. low power operation or no audible ringing). See, e.g., Steer Abstract; col. 3, ll. 18-67.

With respect to claim 1, Applicants have amended this claim to further clarify that a system for restricting features in a wireless network includes, *inter alia*, at least one database comprising representations of rules for restriction on features of at least one wireless terminal wirelessly connected to the at least one base station, wherein the restriction for at least one of the at least one terminal is dependent on the specific one of the at least one base station, and

“wherein the at least one database is accessed (i) in response to an incoming communication directed to the at least one of the at least one wireless terminal located within a given range of the at least one base station, and/or (ii) in response to an outgoing communication originated by the at least one of the at least one wireless terminal located within a given range of the at least one base station.”

Steer, however, does not teach or suggest, *inter alia*, accessing a database comprising representations of rules for restriction on wireless terminals in response to an incoming communication directed to, and/or an outgoing communication originating from, a wireless terminal, as claimed by Applicants (e.g., claim 1). In contradistinction, as described above, Steer’s interference protection system/method system broadcasts protection region boundary information and restrictions to the mobile stations in advance of any transmissions by the mobile stations. In Steer, it is the receipt of this information broadcast in advance of any transmissions that allows the mobile station itself to ascertain whether it is within a protected region when it determines its location upon preparing to transmit. Accordingly, Applicants respectfully submit that Steer cannot be said to teach or suggest base station dependent restriction of a terminal as claimed by Applicants (claim 1) at least because in Steer the information concerning restrictions is broadcast to wireless stations in advance of any transmissions by (or to) wireless stations that are within the range of a base station covering the protected region.

For at least the foregoing reasons, Applicants respectfully submit that claim 1 is patentably distinct over Steer, and that the §102(e) rejection should be withdrawn.

#### **The 35 U.S.C. §103(a) Rejection**

The Office Action rejects claims 3, 9-25, and 27-31 under 35 U.S.C. §103(a) as allegedly being unpatentable over Steer in view of Rafael (GB 2354407A). Applicants respectfully traverse these rejections because, *inter alia*, the alleged combination of Steer and Rafael, does not disclose or suggest each limitation of Applicants’ claimed invention.

Regarding claim 9, Applicants have amended this claim to further clarify that accessing the database that comprises rules governing restriction on a base station is performed in response to an incoming communication directed to a wireless terminal connected to a base station. Similarly, claim 17 has been amended to further clarify that accessing of a database that comprises rules governing restriction on a base station is performed in response to the base

station receiving from a terminal a signal associated with a request for an outgoing communication by the terminal. Claims 28-31 have been similarly amended.

Rafael and Steer, taken alone or in combination, do not teach or suggest accessing a database that comprises rules governing restriction on a base station in response to an incoming call directed to a wireless terminal connected to the base station (e.g., claim 9) and/or in response to the base station receiving a signal from a terminal associated with a request for an outgoing communication by a terminal, as claimed by Applicants (e.g., claim 17). In accordance with the discussion above concerning the § 102(e) rejection, Applicants respectfully submit that Steer does not teach or suggest such accessing as claimed at least insofar as in Steer the information concerning restrictions is broadcast to wireless stations in advance of any transmissions by (or to) wireless stations. Even considering Rafael in combination with Steer, there is no teaching or suggestion remedying this deficiency in Steer.

More specifically, Rafael describes providing certified terminals 22 to broadcast restrictions to mobile communication devices within a designated area. These certified terminals 22 are separate from, but programmable by, the network operator's network infrastructure. Although they broadcast restrictions for the designated area, the certified terminals do not act as base stations at least insofar as they provide neither for communicating incoming communications directed to, nor for communicating outgoing communications originated by, the mobile communication devices. Rather, such incoming/outgoing communications to/from the mobile communication devices are provided by base stations associated with the network operator's network infrastructure. Mobile communication devices located within the designated area communicate via the base station covering that area, and implement such communications subject to the inhibitions/restrictions transmitted by the certified terminals.

Applicants respectfully submit that Rafael, like Steer, does not teach or suggest a method/system for restricting features in a wireless network comprising accessing a database as claimed by Applicants (claims 9, 17, 28-31), at least insofar as in Rafael the information concerning restrictions/inhibitions of mobile communications devices is pushed to mobile communication devices by the certified terminal broadcast signal rather than accessed in response to an incoming or outgoing communication. Accordingly, Applicants respectfully submit that the alleged combination of Steer and Rafael does not teach or suggest accessing a database that comprises rules governing (i) restriction on a base station (claims 9, 17, 29-31)

and/or (ii) restriction on features of a wireless terminal (claim 29), in response to an incoming call directed to a wireless terminal connected to the base station (e.g., claim 9) and/or in response to the base station receiving from a wireless terminal signaling associated with a request for an outgoing communication (e.g., claim 17), as claimed by Applicants.

For at least the foregoing reasons, Applicants respectfully submit that claims 9, 17, and 28-31 are patentably distinct over the alleged combination of Steer and Rafael, even in view of the prior art of record. Thus, Applicants respectfully request withdrawal of the §103(a) rejection.

#### **Dependent Claims**

Applicants believe that the claims dependent on independent claims 1, 9, 17, and 28-31 are allowable for at least similar reasons set forth above for the independent claims from which they depend. As such, Applicants have not individually addressed the rejection of these dependent claims. Applicants maintain, however, that these dependent claims recite limitations that provide additional and independent bases for patentable distinction over the prior art of record, and Applicants reserve the right to address such rejections and present such grounds for patentability should such be appropriate and/or necessary.

#### **CONCLUSION**

Based on the foregoing, Applicants respectfully submit that claims 1-7 and 9-31 as presented herein are allowable over the prior art of record, taken alone or in combination, and that the application is hereby placed in condition for allowance, which action is respectfully requested.

Applicants believe that the petitioned extension of time is sufficient to render this filing timely. However, should an additional extension of time be necessary, such is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees which may be required for this paper, or credit any overpayment, to Deposit Account No. 19-2179.

In the event that a telephone conference would facilitate prosecution, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,

A handwritten signature in cursive script that reads "Francis Montgomery".

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